

Carmine P. Amelio and Alfonso Amelio
Plaintiffs Pro Se
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New Milford, CT 06776
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November 4, 2020

Honorable Andrew L. Carter
United States District Court
Southern District of New York
40 Foley Square, Room 435
New York, NY 10007
ALCarterNYSDChambers@nysd.uscourts.gov

RE: Carmine Amelio, et al, v. Quicken Loans, Inc., et al, Case No.: 1:19-cv-08761-ALC – Letter in Support of Plaintiff's request to reopen this matter and request a further sixty (60) days extension of time to confirm proper and effectuated service of summons and complaint.

Dear Judge Carter,

This letter is to advise that Plaintiffs timely filed Affidavit of Service via the Temporary_Pro_Se_Filing@nysd.uscourts.gov link on October 5, 2020 (See Exhibit A), however, the pleading was never docketed by the Court Clerk and, subsequently, Plaintiffs' case was dismissed on October 15, 2020. On October 3, 2020, Plaintiffs attempted to file their Second Amended Complaint, which was attached to Plaintiff's July 7, 2020 response to order to show cause, but the Clerk indicated that it was incorrectly titled "First Amended Complaint." The error was only on the title while and the body was proper as the Second Amended Complaint, thus Plaintiffs corrected the title error and timely filed their Second Amended Complaint, received summons from the clerk and timely served the summons and complaint on October 5, 2020.

Plaintiffs are pro se and not trained in law, which outside of their full time occupations, require extensive time to research and prepare pleadings and the administration and other court matters.

Plaintiffs are not making this request in bad faith or for the purposes of delay and it will not harm or prejudice the Defendants' case.

Plaintiffs would greatly appreciate for this Court to grant their request to reopen this matter and a further sixty (60) days extension of time to confirm proper and effectuated service of summons and complaint.

Respectfully submitted,
/s/ Carmine P. Amelio
Carmine P. Amelio, *Plaintiff Pro Se*

/s/ Alfonso Amelio
Alfonso Amelio

EXHIBIT A



Carmine Amelio <cpamelio@gmail.com>

Case No.: 19-cv-8761, Affidavit of Service

1 message

Carmine Amelio <cpamelio@gmail.com>
To: Temporary_Pro_Se_Filing@nysd.uscourts.gov

Mon, Oct 5, 2020 at 5:27 PM

Dear Clerk,

Please file the Affidavit of Service in the above matter.

Thank you,
Carmine Amelio

 **AAcroty-UFS-20201005-Affidavit of Service Second Amended Complaint.pdf**
191K

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Alfonso Amelio; and Carmine Amelio,
PLAINTIFF(S),

vs.

McCabe, Weisberg & Conway, P.C.;
Fein, Such & Crane LLP;
Seterus, Inc.;
Ocwen Loan Servicing, LLC;
OneWest Bank, N.A.;
Quicken Loans, Inc.;
Federal National Mortgage Association;
Concrete Properties, LLC; and
Sandlands Eyet LLP,

DEFENDANTS

CIVIL ACTION NO.: 1:19-CV-08761-ALC

Civil Action

**SECOND AMENDED COMPLAINT
JURY TRIAL DEMANDED**

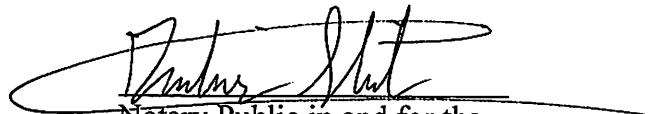
AFFIDAVIT OF SERVICE

I, Paul Amelio, hereby certify that on October 5, 2020 a copy of, Summons and Second Amended Complaint, including the First Amended Complaint, the original Complaint, Order to Show Cause, Response to Order to Show Cause and Order Granting Extension of Time to serve the Summons and Complaint, was served by Certified Mail, Return Receipt, United States Postal Service to all interested parties on the attached list.



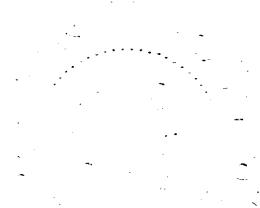
Paul Amelio

SWORN TO and SUBSCRIBED before me by Paul Amelio on October 5, 2020



Notary Public in and for the
State of New York

DIMITRIOS SKRETAS
Notary Public, State of ~~New York~~
No. 01SK6066331
Qualified in Queens County
Commission Expires November 13, 2021



Attached Service List

Via USPS Certified Mail, Return Receipt

McCabe, Weisberg & Conway, P.C.
c/o Corporation Service Company, Registered Agent
80 State Street
Albany, New York 12207
Certified Mail Receipt No.: 7019 0160 0000 4931 4609
Return Receipt No.: 9590 9402 2424 6249 3540 01

Fein, Such & Crane LLP
c/o Howard Crane
28 E Main Street, Suite 1800
Rochester, New York 14614
Certified Mail Receipt No.: 7019 0160 0000 4931 4333
Return Receipt No.: 9590 9402 2424 6249 3540 18

Seterus, Inc.
c/o Corporation Trust Company, Registered Agent
Corporation Trust Center
1209 Orange Street,
Wilmington, Delaware 19801
Certified Mail Receipt No.: 7019 0160 0000 4931 4371
Return Receipt No.: 9590 9402 2424 6249 3541 79

Ocwen Loan Servicing, LLC
c/o Corporation Service Company, Registered Agent
1201 Hays Street
Tallahassee, FL 32301
Certified Mail Receipt No.: 7019 0160 0000 4931 4364
Return Receipt No.: 9590 9402 2424 6249 3541 86

OneWest Bank, N.A., division of CIT Group, Inc.
c/o C T Corporation System, Registered Agent
28 Liberty St.
New York, New York 10005
Certified Mail Receipt No.: 7019 0160 0000 4931 4357
Return Receipt No.: 9590 9402 2424 6249 3541 93

Quicken Loans, Inc.
c/o The Corporation Company, Registered Agent
40600 Ann Arbor Rd E, Ste 201
Plymouth, MI 48170
Certified Mail Receipt No.: 7019 0160 0000 4931 4340
Return Receipt No.: 9590 9402 2424 6249 3542 09

Attached Service List, continued

Via USPS Certified Mail, Return Receipt

Federal National Mortgage Association, Inc.
c/o The Company Corporation, Registered Agent
251 Little Falls Drive
Wilmington, Delaware 19801
Certified Mail Receipt No.: 7019 0160 0000 4931 4388
Return Receipt No.: 9590 9402 2424 6249 3541 62

Concrete Properties, LLC
c/o Department of State, Division of Corporations
One Commerce Plaza, 99 Washington Ave
Albany, NY 12231-0001
Certified Mail Receipt No.: 7019 0160 0000 4931 4401
Return Receipt No.: 9590 9402 2424 6249 3541 48

Sandlands Eyet LLP
c/o Alina H. Eyet
145 Pine Haven Shores Rd
Shelburne, VT 05482
Certified Mail Receipt No.: 7019 0160 0000 4931 4395
Return Receipt No.: 9590 9402 2424 6249 3541 55